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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Sorrells *et al.*

Appl. No.: 09/476,093

Filed: January 3, 2000

For: **Communication System With
Multi-Mode and Multi-Band
Functionality and Embodiments
Thereof, Such as the Family
Radio Service**

Confirmation No.: 7306

Art Unit: 2685

Examiner: Chow, C. C.

Atty. Docket: 1744.0260001

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Technology Center 2600

Third Supplemental Information Disclosure Statement

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying PTO-1449 form are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this Third Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Second Supplemental Information Disclosure Statement filed on August 28, 2002, in connection with the above-captioned application.

Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

Applicants provide the following comments regarding the documents:

Document AG50 was cited in an Office Action in co-pending U.S. Patent Application Serial No. 09/376,509, filed August 18, 1999, entitled "Method and System for Ensuring Reception of a Communications Signal," directed to related subject matter.

Documents AH50, AI50, AA51, AC51, AE51 and AH51 were cited in an Office Action in co-pending U.S. Patent Appl. No. 09/476,330, filed January 3, 2000, entitled, "Multi-Mode, Multi-Band Communication System," directed to related subject matter.

Document AB51 was cited in an Office Action in co-pending U.S. Patent Appl. No. 09/567,963, filed May 10, 2000, entitled, "Frequency Synthesizer Using Universal Frequency Translation Technology," directed to related subject matter.

Documents AD51, AF51 and AG51 were cited in an Office Action in co-pending U.S. Patent Appl. No. 09/526,041, filed March 14, 2000, entitled, "DC Offset, Re-radiation, and I/Q Solutions Using Universal Frequency Translation Technology," directed to related subject matter.

Document AA52 was cited in an Office Action in co-pending U.S. Patent Appl. No. 09/476,092, filed January 3, 2000, entitled "Analog Zero IF FM Decoder and Embodiments Thereof, Such as the Family Radio Service," directed to related subject matter. Also cited in the Office Action were U.S. Patent Nos. 5,600,680 and 5,606,731, which have already been cited in the present application in the Second Supplemental Information Disclosure Statement, filed August 28, 2002.

Documents AB52, AC52, AH52 and AE54 are co-owned patents which are directed to related subject matter.

Documents AD52 and AN58-AP58 were cited in an Office Action in co-pending U.S. Patent Appl. No. 09/567,977, filed May 10, 2000, entitled, "Optical Down-converter Using Universal Frequency Translation Technology," directed to related subject matter.

Documents AG52 and AJ23 were cited in an Invitation to Pay Additional Fees in PCT Appl. No. PCT/US01/43077, filed November 14, 2001, entitled "Method and Apparatus for a Parallel Correlator and Applications Thereof," directed to related subject matter.

Documents AI52 and AA53-AC53 were cited in an Office Action in co-pending U.S. Patent Application No. 09/986,764, filed November 9, 2001, entitled "Method and Apparatus for Reducing DC Offsets in a Communication System," directed to related subject matter.

Documents AD53-AG53 were cited in an International Search Report in PCT Application No. PCT/US02/35861, filed November 8, 2002, entitled "Method and Apparatus for Reducing DC Offsets in a Communication System," directed to related subject matter.

Documents AH53-AI53, AA54 and AB54 were cited in an International Search Report in PCT Application No. PCT/US03/16403, filed May 27, 2003, entitled "Method and Apparatus for DC Offset Removal in a Radio Frequency Communication Channel," directed to related subject matter.

Documents AC54 and AD54 were cited in an Office Action in co-pending U.S. Patent Application No. 09/550,642, filed April 14, 2000, entitled "Method and System for Down-converting an Electromagnetic Signal, and Transforms for Same," directed to related subject matter.

Documents AF54-AI54 and AA55 were cited in an Office Action in co-pending U.S. Patent Application No. 09/548,923, filed April 13, 2000, entitled "Method and System for Frequency Up-conversion with Modulation Embodiments," directed to related subject matter. Also cited in the Office Action were U.S. Patent Nos. 6,091,940 and 6,353,735, which have already been cited in the present application in the Supplemental Information Disclosure Statement, filed June 4, 2002.

Documents AK20, AL20, AJ21, AK21, AL21, AP56 and AQ56 were cited in an International Search Report in PCT Appl. No. PCT/US01/12086, filed April 13, 2001, entitled, "Frequency Converter," directed to related subject matter. Also cited in the International Search Report was U.S. Patent No. 5,844,449, which has already been cited in the present application in the Information Disclosure Statement, filed January 11, 2002.

Documents AK22-AM22, AE52, AF52 and AQ58 were cited in an International Search Report in PCT Appl. No. PCT/US01/15555, filed May 16, 2001, entitled, "Apparatus, System, and Method for Down-Converting and Up-Converting Electromagnetic Signals," directed to related subject matter. Also cited in the International Search Report were U.S. Patent Nos. 4,888,557, 5,454,007, 5,640,698 and 5,705,949, and PCT Publication No. WO 96/02977, which have already been cited in the present application in the Information Disclosure Statement, filed January 11, 2002.

Document AK23 was cited in an Office Action in co-pending Japanese Patent Application No. 2000-577,764, filed June 21, 2000, entitled "Applications of Frequency Translation," directed to related subject matter.

The other documents in the PTO-1449 do not fall within the above categories.

This statement should not be construed as a representation that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

Applicants have checked the appropriate boxes below.

- ☐ 1. Statement under 37 C.F.R. 1.704(d). Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this information disclosure statement.

- ☐ 2. Filing under 37 C.F.R. § 1.97(b). This Information Disclosure Statement is being filed within three months of the date of filing of a national application other than a continued prosecution application (CPA), OR within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application, OR before the mailing date of a first Office Action on the merits OR before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No statement or fee is required.
- ☒ 3. Filing under 37 C.F.R. § 1.97(c). This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application.
- ☐ a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).
- ☐ b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
- ☒ c. Attached is our PTO-2038 Credit Card Payment Form in the amount of \$180.00 in payment of the fee under 37 C.F.R. § 1.17(p).
- ☐ 4. Filing under 37 C.F.R. § 1.97(d) This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Attached is our PTO-2038 Credit Card Payment Form for \$ _____ in payment of the fee under 37 C.F.R. § 1.17(p); in addition:

- ☐ a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).
- ☐ b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
- ☐ 5. The document(s) was/were cited in a search report by a foreign patent office in a counterpart foreign application. Submission of an English language version of the search report that indicates the degree of relevance found by the foreign office is provided in satisfaction of the requirement for a concise explanation of relevance. 1138 OG 37, 38.
- ☒ 6. A concise explanation of the relevance of the non-English language documents appears below:
- Document AK20 (DE 196 27 640 A1) appears to describe a mixer. Document AK20 is a counterpart German application of U.S. Patent No. 5,680,078, which has already been cited in the present application in the Information Disclosure Statement, filed January 11, 2002.
- Document AL20 (EP 0 087 336 A1) appears to describe a transistorized mixer for microwave transmitters. The granted version of document AL20 is cited as document AM20 (EP 0 087 336 B1) and contains an English-language version of the claims.
- Document AK21 (FR 2 669 787 A1) appears to describe a symmetrical super high frequency mixer. A copy of the English-language abstract of document AK21 is enclosed as document AR56.

Document AM21 (JP 61-30821) appears to describe a squelch device. A copy of the English-language abstract of document AM21 is enclosed as document AP57.

Document AJ22 (JP 5-327356) appears to describe a frequency converter. A copy of the English-language abstract of document AJ22 is enclosed as document AQ57.

Document AK23 (JP 9-36664) appears to describe a frequency conversion circuit. A copy of the English-language abstract of document AK23 is enclosed as document AR58.

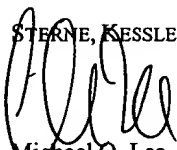
- ☐ 7. Copies of the documents were cited by or submitted to the Office in an IDS that complies with 37 C.F.R. § 1.98(a)-(c) in Application No. _____, filed _____, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449 form, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.


Michael Q. Lee
Attorney for Applicants
Registration No. 35,239

Date: 11/24/03

1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600